

**SUPPLEMENTAL MEMORANDUM IN SUPPORT OF PETITION FOR REMOVAL**

<sup>1</sup> Defendants, Trek Bicycle Corporation, LTD, Electra Bicycle Company, Inc., Electra Bicycle Corporation, LLC, Trek Retail Corporation, and SRAM, LLC, will also be filing a full Response in Opposition to Plaintiffs' Motion to Remand within fourteen days as required under Federal Rules and will also seek costs and attorneys fees.

Civil Procedure Rule 11. See Lincoln Benefit Life Co. v. AEI Life, LLC, 800 F.3d 99, 105, 108 (3d. Cir. 2015); F.R.C.P. 11(b)(2)-(3). Defendants' Petition appropriately pleads that Defendant, SRAM, LLC, is a citizen of the State of Delaware and Illinois. See Petition for Removal, ¶19.

In further support of its truthful and proper averments in the Petition for Removal, SRAM, LLC hereby supplements its Petition for Removal with the Affidavit of Dan Powers, which avers as follows:

1. I am familiar with the corporate structure of SRAM, LLC.
2. SRAM, LLC is a limited liability company 100% owned by member SRAM Holdings, LLC.
3. SRAM Holdings, LLC, is a limited liability company with two members, SRAM-SP2, Inc. and SRAM International Holdings, Inc.
4. SRAM-SP2, Inc. is a citizen of the states of Delaware and Illinois.
5. SRAM-SP2, Inc. is a Delaware Corporation with a principal place of business located at 1000 West Fulton Market, 4<sup>th</sup> Floor, Chicago, IL 60607.
6. SRAM International Holdings, Inc. is a citizen of the states of Delaware and Illinois.
7. SRAM International Holdings, Inc. is a Delaware Corporation with a principal place of business located at 1000 West Fulton Market, 4<sup>th</sup> Floor, Chicago, IL 60607.

See Exhibit 5, Affidavit of Dan Powers. Because all members of SRAM, LLC are citizens of the states of Illinois and Delaware, as previously averred, SRAM, LLC, is a citizen of the states of Illinois and Delaware for diversity purposes. See Zambelli Fireworks Mfg. Co., Inc. v. Wood, 592 F.3d 412, 420 (3d Cir. 2010)(noting the citizenship of a limited liability is determined by the

citizenship of its members). As such, as appropriately alleged in their Petition for Removal, diversity of citizenship exists among the parties and removal to federal court is appropriate Pursuant to 28 U.S.C. § 1441.

**MARSHALL, DENNEHEY, WARNER  
COLEMAN & GOGGIN**

A handwritten signature in black ink, appearing to read 'John C. Farrell', written over a horizontal line.

BY: \_\_\_\_\_  
JOHN C. FARRELL, ESQUIRE

PA Bar ID: 52824

ELIZABETH UNDERWOOD

PA Bar ID: 93802

*Attorneys for Defendants,*

Trek Bicycle Corporation, LTD, Electra  
Bicycle Company, Inc., Electra Bicycle  
Corporation, LLC, Trek Retail Corporation,  
and SRAM, LLC

Date: July 14, 2023

**IN THE UNITED STATES DISTRICT COURT FOR**  
**THE EASTERN DISTRICT OF PENNSYLVANIA**

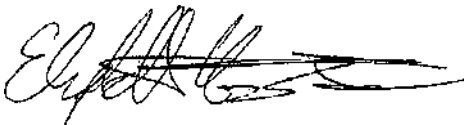
Mitchell S. Fineman, M.D. and Lucy Q. Fineman, h/w	:	Civil Action No. 2:23-cv-02272
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
Trek Bicycle Corporation, Ltd., Electra	:	
Bicycle Company, Inc., Electra Bicycle	:	
Corporation, LLC, Trek Retail Corporation	:	
(d/b/a Trek Bicycle Philadelphia Manayunk),	:	
Beacon Stores, Inc., (d/b/a Beacon Cycling	:	
and/or Beacon Cycling & Fitness), Mitchell	:	
Rovins and Susanna Rovins (d/b/a Beacon	:	
Stores, Inc. (d/b/a Beacon Cycling and/or	:	
Beacon Cycling & Fitness), SRAM, LLC,	:	
John Doe(s) and Jane Doe(s), ABC	:	
Corporation and DEF, LLC, and Heng Ying	:	
Machinery Co., Ltd.,	:	
	:	
Defendants.	:	

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**CERTIFICATE OF SERVICE**

I, Elizabeth A. Underwood, Esquire, hereby certify that on this date a true and correct copy of the foregoing Supplemental Memorandum in Support of Petition for Removal was served on all counsel of record via electronic court notification.

MARSHALL DENNEHEY WARNER COLEMAN  
AND GOGGIN

BY:   
Elizabeth A. Underwood, Esquire

Date: 7/14/2023

# **EXHIBIT 5**

Mitchell S. Fineman, M.D. and Lucy Q. Fineman, h/w	:	IN THE COURT OF COMMON PLEAS
	:	OF PHILADELPHIA COUNTY
	:	
Plaintiffs,	:	No.: 230600934
	:	
v.	:	
	:	
Trek Bicycle Corporation, Ltd., Electra Bicycle Company, Inc., Electra Bicycle Corporation, LLC, Trek Retail Corporation (d/b/a Trek Bicycle Philadelphia Manayunk), Beacon Stores, Inc., (d/b/a Beacon Cycling and/or Beacon Cycling & Fitness), Mitchell Rovins and Susanna Rovins (d/b/a Beacon Stores, Inc. (d/b/a Beacon Cycling and/or Beacon Cycling & Fitness), SRAM, LLC, John Doe(s) and Jane Doe(s), ABC Corporation and DEF, LLC, and Heng Ying Machinery Co., Ltd.,	:	
	:	
Defendants.	:	

**Affidavit of Dan Powers**

1. I am familiar with the corporate structure of SRAM, LLC.
2. SRAM, LLC is a limited liability company 100% owned by member SRAM Holdings, LLC.
3. SRAM Holdings, LLC, is a limited liability company with two members, SRAM-SP2, Inc. and SRAM International Holdings, Inc.
4. SRAM-SP2, Inc. is a citizen of the states of Delaware and Illinois.
5. SRAM-SP2, Inc. is a Delaware Corporation with a principal place of business located at 1000 West Fulton Market, 4<sup>th</sup> Floor, Chicago, IL 60607.
6. SRAM International Holdings, Inc. is a citizen of the states of Delaware and Illinois.

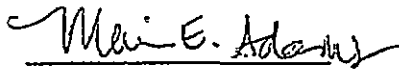
7. SRAM International Holdings, Inc. is a Delaware Corporation with a principal place of business located at 1000 West Fulton Market, 4<sup>th</sup> Floor, Chicago, IL 60607.

8. Finally, as counsel for SRAM filed the Petition for Removal on its behalf, SRAM clearly consents to the removal of this case to Federal Court.

  
Dan Powers

Sworn to and subscribed before me

this 14<sup>th</sup> day of JULY, 2023

  
Notary

